

U. S. PATENT AND TRADEMARK OFFICE U.S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER 21404P
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/556805
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		
INTERNATIONAL APPLICATION NO. PCT/US2004/014642	INTERNATIONAL FILING DATE 10 May 2004	PRIORITY DATE CLAIMED 14 May 2003
TITLE OF INVENTION 3-AMINO-4-PHENYLBUTANOIC ACID DERIVATIVES AS DIPEPTIDYL PEPTIDASE INHIBITORS FOR THE TREATMENT OR PREVENTION OF DIABETES		
APPLICANT(S) FOR DO/EO/US Tesfaye Biftu, Danqing Dennis Feng, Gui-Bai Liang, Xiaoxia Qian		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none">1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.3. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.4. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31).5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)]<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> has been communicated by the International Bureau.c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].<ol style="list-style-type: none">a. <input type="checkbox"/> is attached heretob. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].<ol style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input type="checkbox"/> have not been made and will not be made.8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none">11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input checked="" type="checkbox"/> A preliminary amendment.14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.15. <input type="checkbox"/> A substitute specification.16. <input type="checkbox"/> A power of attorney and/or change of address letter.17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).20. <input type="checkbox"/> Other items or information:		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; text-align: center;">10/556805</div>		INTERNATIONAL APPLICATION NO. PCT/US2004/014642		ATTORNEY'S DOCKET NUMBER 21404P	
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee.....\$300				\$300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 All other situations.....\$200				\$0.00	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$400 All other situations.....\$500				\$0.00	
TOTAL OF 21, 22 and 23=				\$300.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
66 - 100 =	0 /50	0 = 0	X \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	24 - 20 =	4	X \$50.00	\$200.00	
Independent Claims	1 - 3 =	0	X \$200.00	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00		
TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)				= \$500.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
TOTAL NATIONAL FEE				= \$500.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				+	
TOTAL FEES ENCLOSED				= \$500.00	
				Amount to be refunded:	
				Amount to be charged:	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$500.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: <div style="border: 1px solid black; padding: 2px; display: inline-block;">Customer No. 000210</div>					
MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970					
<div style="font-size: 1.2em; font-family: cursive;">Philippe L. Durette</div> SIGNATURE					
DATE: <u>November 14, 2005</u>					
PHONE #: <u>(732) 594-4568</u>					
Philippe L. Durette NAME					
<u>35,125</u> REGISTRATION NUMBER					

J001 Rec'd PCT/PTO 14 NOV 2005

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**Page 1A of TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING
A FILING UNDER 35 U.S.C. 371**

Serial No. PCT/2004/014642

Case Docket No.: 21404P

International Filing Date: 10 May 2004

Priority Date: 14 May 2003

Title: 3-AMINO-4-PHENYLBUTANOIC ACID DERIVATIVES
AS DIPEPTIDYL PEPTIDASE INHIBITORS FOR THE
TREATMENT OR PREVENTION OF DIABETES

Inventors: Tesfaye Biftu, Danqing Dennis Feng, Gui-Bai Liang, Xiaoxia
Qian

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT November 14, 2005

EXPRESS MAIL NO. EV 660609104 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
EXPRESS MAIL "POST OFFICE TO ADDRESSEE" BEFORE 5 P.M.
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO
COMMISSIONER OF PATENTS AND TRADEMARKS, BOX PCT,
WASHINGTON, D.C. 20231.

MAILED BY Kathy Klettowski **DATE** 11-14-05